



Entered on Docket
September 04, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund,
LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**Order Approving Stipulation to
Disallow Mountain West Mortgage
Proof of Claim in the amount of
\$2,048,000.00 and to Vacate Related
Deadlines and Court Dates**

Preliminary Hearing: September 30, 2009
Time 2:30 p.m.
Trial: October 22, 2009
Time: 9:30 a.m.:

¹ This bankruptcy case was closed on September 23, 2008

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 26, 2007.

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LLP
L A W Y E R S

The Stipulation between USACM Liquidating Trust (the "USACM Trust"), by and through its counsel, Lewis and Roca LLP, and Mountain West Mortgage, ("MWM"), by and through its counsel, Pengilly Robbins Slater, [DE 7434] came before the Court for consideration, no notice being necessary, and good cause appearing, it is:

ORDERED:

- Claim 10725-00203, filed by MWM is hereby disallowed in its entirety
- Each party shall bear its own attorneys fees and costs;
- The deadlines for filing trial statements, pre-trial motions and exhibit/witness list set forth in the Amended Order re Pre-Trial Matters, Trial and Settlement Conference are vacated;
- The pre-trial conference scheduled for September 30, 2009 at 2:30 p.m. and the trial scheduled to begin on October 22, 2009 are vacated..

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PREPARED AND SUBMITTED BY:

APPROVED AS TO FORM AND
CONTENT

LEWIS AND ROCA LLP

PENGILLY ROBBINS SLATER

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